

MR. DEPUTY SPEAKER.—The question is

“That leave be granted to introduce the Karnataka Highways (Amendment) Bill 1982”

The motion was adopted and leave was granted

SRI Y. RAMAKRISHNA.—On behalf of the hon. Minister for public Works I introduce

The Karnataka Highways (Amendment) Bill 1982

MR. DEPUTY SPEAKER.—The Bill is introduced

The Karnataka State Conduct of Examination Bill 1982

Motion to Consider

2-30 P.M.

SRI G.B. SHANKAR RAO (Hon. Minister for Education):—Sir, I beg to move:

“That the Karnataka State Conduct of Examination Bill 1982 be taken into consideration”.

The question was proposed

SRI G.B. SHANKAR RAO:—Sir, this is a Bill replacing the ordinance promulgated in the month of March when the House was not in session. There are several examinations conducted in the state by the P.U. Board and so many universities and in recent years it has been found that a large scale malpractices are going on in these examinations. The authorities have felt it very difficult to check these malpractices under the existing rules. So, it was found necessary to bring out a legislation to check effectively not only the malpractices but also to maintain the quality and standard of education. Hence this Bill. There will not be any financial implications because the existing staff itself will take care of the provisions of the Bill. So, I request the House to get this Bill passed.

† ಶ್ರೀ ಎಂ.ಸಿ. ನಾನಯ್ಯ (ವಡಕೇರಿ).—ಮಾನ್ಯ ಉಪಾಧ್ಯಕ್ಷರೇ ಸರ್ಕಾರ ಇವತ್ತು ಪರೀಕ್ಷೆಗಳಲ್ಲಿ ನಡೆಯುತ್ತಿರುವ ಮಾನ್ಯ ಕಾಪಿ ಬಗ್ಗೆ ಏನೊಂದು ಕಾರ್ಯಕ್ರಮ ಇದೆ ಅದನ್ನು ನಾನು ಸ್ವಾಗತ ಮಾಡುತ್ತೇನೆ. ಇವತ್ತು ಪರೀಕ್ಷೆ ನಡೆಯುತ್ತಿದ್ದ ಸ್ಥಳಗಳಲ್ಲಿ ಕಾಪಿ ಒಡೆಯುವುದು ಒಂದು ಪಿಡುಗಾಗಿದೆ. ಈ ಪಿಡುಗನ್ನು ಇಲ್ಲಿಯವರೆಗೆ ತಡೆಗಟ್ಟಲಿಕ್ಕೆ ಸಾಧ್ಯವಾಗಲಿಲ್ಲ. ಪರೀಕ್ಷಾ ಸಭಾಂಗಣದಲ್ಲಿ ಪರೀಕ್ಷೆಗಳನ್ನು ನೋಡಿಕೊಳ್ಳುತ್ತಿದ್ದ ಇನ್ಸ್‌ಪೆಕ್ಟರ್‌ಗಳು ಏನಿದ್ದಾರೆ ಅವರುಗಳಿಗೆ ಬೆನುಸುವುದು ಹೆಚ್ಚುವುದು ಇಂತಹ ಒಂದು ಪರಿಸ್ಥಿತಿ ನಿರ್ಮಾಣವಾಗಿದೆ ಇದ್ದು ಕರ್ನಾಟಕ ರಾಜ್ಯದಲ್ಲಿ ಮಾತ್ರವಲ್ಲ ಭಾರತದ ಎಲ್ಲಾ ವಿಶ್ವವಿದ್ಯಾಲಯಗಳಲ್ಲೂ ನಡೆಯುತ್ತಿರತಕ್ಕ ಒಂದು ಪದ್ಧತಿ. ಹಲವಾರು ವರ್ಷಗಳಿಂದ ನಡೆದುಕೊಂಡು ಬಂದಿರತಕ್ಕ ಪದ್ಧತಿ. ಈ ಒಂದು ಪಿಡುಗನ್ನು ಸಂಪೂರ್ಣವಾಗಿ ನಿಲ್ಲಿಸಬೇಕು ನಮ್ಮ ವಿವ್ಯಾಹವನ್ನು

† Indicates that remarks or speeches have not been revised by the member concerned.

ಸುಧಾರಿಸಬೇಕು. ಯಾವ ವಿದ್ಯಾರ್ಥಿಗಳು ಕಾಲೇಜಿನಿಂದ ಬರುತ್ತಾರೆ ಅವರು ನಿಜವಾದ ಪದವೀಧರರಾಗಿ ವಿಷಯಗಳನ್ನು ಕಲಿತುಕೊಂಡು ಬರತಕ್ಕ ಒಂದು ಉತ್ತಮ ಗುರಿಯನ್ನಿಟ್ಟುಕೊಂಡು ಈ ಒಂದು ಜಿಲ್ಲೆಯನ್ನು ತರಲಾಗಿದೆ ನಾನು ಸಂಪೂರ್ಣವಾಗಿ ಸ್ವಾಗತ ಮಾಡುತ್ತೇನೆ. ಆದರೆ ಈಗ ಇರತಕ್ಕದ್ದು ಏನೆಂದರೆ ಆನ್‌ಫೇರ್ ಪ್ರಾಕ್ಟೀಸ್ ಇದನ್ನು ತಡೆಗಟ್ಟಲಿಕ್ಕೆ ಅನುಕೂಲವಾಗಿದೆ. ಉತ್ತರಪ್ರದೇಶದ ನಿೂರತ್ ವಿಶ್ವವಿದ್ಯಾಲಯದಲ್ಲಿ ಮೂರು ವರ್ಷಗಳ ಹಿಂದೆ ನಡೆದಿರತಕ್ಕ ವಿಷಯ ಪತ್ರಿಕೆಗಳಲ್ಲಿ ಪ್ರಕಟವಾಗಿದೆ. ಯಾವ ಮಟ್ಟದಲ್ಲಿ ಪರೀಕ್ಷಾ ಸಭಾಂಗಣದೊಳಗೆ ವಿದ್ಯಾರ್ಥಿಗಳು ಹೋಗುತ್ತಿದ್ದರು ಅಂದರೆ ಅವರು ಸೈಕಲ್‌ಜೈನ್, ಬೈಡ್, ಚೀರಿ ತೆಗೆದುಕೊಂಡು ಜೊತೆಗೆ ಪುಸ್ತಕಗಳನ್ನು ತೆಗೆದುಕೊಂಡು ಹೋಗಿ ಅವರನ್ನು ಕೇಳತಕ್ಕ ಇನ್ವಿಜಿಲೇಟರ್‌ಗಳನ್ನು ಹೊಡೆದಿರತಕ್ಕ ಪರಿಸ್ಥಿತಿ ಇದೆ. ಆ ರೀತಿ ಕರ್ನಾಟಕದಲ್ಲೂ ಹಲವಾರು ಸ್ಥಳಗಳಲ್ಲಿ ನಡೆದಿದೆ. ಇದರ ಬಗ್ಗೆ ತಾವು ಕೈಗೊಂಡ ಕ್ರಮವನ್ನು ನಾನು ಸಂಪೂರ್ಣವಾಗಿ ಸ್ವಾಗತ ಮಾಡುತ್ತೇನೆ. ಈ ರೀತಿ ಮಾಡುವುದರಿಂದ ವಿದ್ಯಾಮಟ್ಟವನ್ನು ಏರಿಸಬಹುದು. ಇವತ್ತು ವಿದ್ಯಾರ್ಥಿಗಳಿಗೆ ಪ್ರಶ್ನೆ ಪತ್ರಿಕೆಗಳನ್ನು ಒದಗಿಸಿ ಉತ್ತರಗಳನ್ನು ಬರಿಸತಕ್ಕ ಉಪಾಧ್ಯಾಯರ ವಿಷಯ ಪತ್ರಿಕೆಗಳಲ್ಲಿ ಬಂದಿದೆ. ಉಪಾಧ್ಯಾಯರುಗಳೇ ಕಾಪಿ ಮಾಡಲಿಕ್ಕೆ ಪಾಮಾಲಾಗಿರತಕ್ಕ ನಿದರ್ಶನಗಳು ನಮ್ಮ ಗಮನಕ್ಕೆ ಬಂದಿವೆ. ಪ್ರಿಯಾ ನಿವರ್ಸಿಟಿ ಬೋರ್ಡ್‌ನಲ್ಲಿ ೧೦೦ಕ್ಕೆ ೯೯,೯೦ ಅಂಕಗಳನ್ನು ಯಾವರೀತಿ ತೆಗೆದುಕೊಳ್ಳುತ್ತಾರೆಂದು ಕೂಡ ಗೊತ್ತಾಗಿದೆ. ಅರ್ಬನ್ ವಿರಿಯಾಗಳಲ್ಲಿ ಇರತಕ್ಕವರು ಬಹಳಷ್ಟು ಜನ ಕಾಪಿ ಮಾಡಿ ಅಂಕಗಳನ್ನು ತೆಗೆದುಕೊಂಡು ಇಂಜಿನಿಯರಿಂಗ್ ಕಾಲೇಜು ತಾಂತ್ರಿಕ ಕಾಲೇಜುಗಳಲ್ಲಿ ಸುಲಭವಾಗಿ ಅಡ್ಮಿಷನ್ ಸಿಗುವಂತೆ ಮಾಡಿಕೊಳ್ಳುತ್ತಾರೆ. ಈ ಒಂದು ಪರಿಸ್ಥಿತಿ ಸರ್ಕಾರದ ಗಮನಕ್ಕೆ ಬಂದಿರಬಹುದು. ಪರೀಕ್ಷಾ ಮಟ್ಟವನ್ನು ಏರಿಸುವುದಕ್ಕೋಸ್ಕರ ವಿದ್ಯಾಮಟ್ಟವನ್ನು ಮೇಲಕ್ಕೆತ್ತುವ ದೃಷ್ಟಿಯಿಂದ ಈ ಬಿಲ್‌ನಲ್ಲಿರತಕ್ಕ ಮೂಲಭೂತ ಅಂಶಗಳನ್ನು ನಾನು ಸಂಪೂರ್ಣವಾಗಿ ಸ್ವಾಗತಿಸುತ್ತೇನೆ. ಆದರೆ ಯಾವ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ಕ್ರಮವನ್ನು ಯಾವ ರೀತಿ ತೆಗೆದುಕೊಳ್ಳುತ್ತಾರೆ. ಬಂದಿರತಕ್ಕ ಪ್ರಶ್ನೆ ಇದೆ. ನೀವು ಅಧಿಕಾರವನ್ನು ಯಾರ ಕೈಗೆ ಕೊಡುತ್ತೀರಿ? ಕ್ರಮವನ್ನು ಜಾರಿಗೆ ಮಾಡಲು ಪರೀಕ್ಷಾ ಕೇಂದ್ರದಲ್ಲಿ ಮಾಡುತ್ತೀರೋ ಇನ್ವಿಜಿಲೇಟರ್‌ಗಳನ್ನು ಬೆವರಿಸಿದಾಗ ಜಾರಿ ಮಾಡುತ್ತೀರೋ ನೇರವಾಗಿ ಪೋಲೀಸ್ ನವರೇ ಬಂದು ಕ್ರಮ ಕೈಗೊಳ್ಳುವ ಒಂದು ಪರಿಸ್ಥಿತಿಯನ್ನು ಏರ್ಪಡಿಸುವುದೋ? ಪ್ರತಿಯೊಂದು ಪರೀಕ್ಷಾ ಕೇಂದ್ರಕ್ಕೆ there is an examination superintendent. For every examination there is an examination superintendent. The invigilators have to work under him. Whenever these invigilators come to know that a particular person is adopting unfair practice inside the hall, he has got the authority to take him out of the hall and hand over to the superintendent and the superintendent in turn will have to take action by giving a complaint against him. Inside the hall if some unfair practice is going on and if some other person who is loitering round about the examination premises and try to pass on a piece of paper on information which is required to write in the examination, or if any person loitering outside is trying to threaten the invigilator, who should give a complaint? It is the invigilator who should give a complaint to the examination superintendent, and immediately in turn the superintendent should give a complaint to the police. This should be the procedure adopted, but unfortunately, in this Bill you have not spelt out the circumstances under which either the invigilator or the superintendent of examination should give a complaint. On the other hand, now if you do not spell out the person who should give a complaint on the complaint of the invigilator, the police, merely, *suo motto* can enter into the examination hall and say, so

many things are happening and as a result of which I am booking a case against you. As far as evaluators are concerned, you have said, any evaluator adopting unfair means, is also liable for punishment under this. Sometime back have read in the paper that in Mysore some of the examiners and teachers have been arrested; but I want to know on the complaint of whom? Mr. Speaker Sir, I am talking about what has happened in Mysore about two weeks back. This has appeared in Kannada Prabha. A particular student goes to the house of a particular professor who has just returned from the examination hall and offers him Rs. 200 and says, you must somehow allow me to pass the examination. Then the professor refuses it and asks him to clear out. The student keeps the money and walks out. Immediately, the police people enter into the house of that professor and arrests him. Why I am telling all these things is, as the Hon. Minister is aware, now-a-days, the universities have become a completely cash-ridden political arena. It is there in all universities. A stage has come where students are demanding the change of Vice Chancellors. After all, the V.C. is a non-teaching man. He looks after only the administration. University is no more a temple of learning today. It is very much polluted and cash-ridden politics is going on. Why I am saying all these things is, if you do not introduce such a system where you should give certain authority to the head of the department i.e., to the examination superintendent and the invigilator, well, one section of the student community will take revenge and give complaints against somebody and immediately, the police people will swing in on action.

That is why I said, when there are far reaching consequences it would be better to refer this Bill to a Joint Select Committee. When in principle we accept the Bill, there are ample opportunities to misuse the very noble object of the Bill. Let not unfettered powers be given to the Police. Now-a-days sir, a good teacher or a good professor cannot survive in our Colleges or Universities. A good teacher or a good Professor doing a better job is being threatened. He is not in a position to do his job fairly, impartially or without bias. With a view to give protection to this particular section this Bill has been brought. We are all very much concerned about it. Even though the object of the Bill is very much laudable, this Bill will have to be considered in depth. Passing of this Bill, as it is, will have dangerous and disastrous consequences. It has got far reaching consequences on the entire education system and a time is bound to come when valuation may not take place, examination may not be conducted fairly and freely. It is for this simple reason, I

appeal to the Hon. Minister for Law and Parliamentary Affairs to consider this matter seriously and see that the Bill is referred to a Joint Select Committee. Let it be done in this Session itself. We will all sit together and express our views. It cannot be passed so suddenly on so easily. We are not disputing the noble object of the Bill, but we are concerned about the modalities. Who should give complaint to whom and under what circumstances it should be done. All these things will have to be spelt out in the Bill. We will all sit together and suggest the modalities. Therefore, I very much request the Hon. Minister for Education to see that a Joint Select Committee is constituted consisting of Members from both the Houses. I am sure the committee would come forward with constructive suggestions within 15 days. I request the Hon. Chief Minister also to persuade or to tell the Hon. Minister for Education to refer this Bill to a Joint Select Committee in the interest of fair administration, in the interest of protecting the teaching community and also in the interest of creating a sound and conducive atmosphere in the Universities which has been hitherto polluted. I hope the Hon. Minister for Education would agree with me.

SRI Y. RAMAKRISHNA.— I would like to bring to the kind notice of the Hon. Member that here is an Ordinance to fix statutory duties on the employees of educational institutions in respect of examinations passed by the Maharashtra Government. Section-7 of it reads thus.—

“ Offences to be cognizable and non-bailable Not withstanding anything contained in the Code of Criminal Procedure, 1973, all offences under this Ordinance shall be cognizable offences and shall be non-bailable.”

SRI M. C. NANAIK.— I will be one with you that this shall be a cognizable offence and non bailable offence. The Hon. Minister for Law has not understood me properly. What about the modalities when the offence is committed inside the examination hall? Under the present Act, what happens is when an offence is committed the Invigilator who is looking after will have to inform the Superintendent of the Centre and in turn he should give a complaint against that particular boy. But, all these will have to be clearly mentioned in the Bill. Therefore, I once again request the Hon. Minister to see that this Bill is referred to a Joint Select Committee.

MR. DEPUTY SPEAKER — I think, all of you would agree with me in referring this Bill to a Joint Select Committee. The Hon Minister for Education may please move the motion to refer the Bill to the Joint select Committee.

SRI G. B. SHANKAR RAO.— I beg to move “ That the Karnataka State Conduct of Examinations Bill, 1982 be referred to a Joint Select Committee consisting of total 20 Members (15 Members from the Legislative Assembly and 5 Members from Legislative Council) and that the concurrence of the Legislative Council be obtained therefor and the following Members of this * * shall be the Members of Joint Select Committee and the report of the Joint Select Committee be presented by the end of 30th June 1982.”

- * * Sriyuths.—
- 1 H. Shivappa
 - 2 Mallur Ananda Rao
 - 3 B. Subbaiah Shetty
 - 4 B. H. Lakshmanaiah
 - 5 P. N. Reddy
 - 6 P. F. Rodrigues
 - 7 M. M. Nadaf
 - 8 Kum. S. Iramila
 - 9 H. T. Krishnappa
 - 10 V. A. Mathikatti
 - 11 M. C. Nanaiah
 - 12 Dr. H. L. Thimmegowda
 - 13 H. Gangadharan
 - 14 N. B. Sirdesai
 - 15 B. V. Kakkilaya

The question was proposed

MR. DEPUTY SPEAKER.—The question is.—

“That the Karnataka State Conduct of Examinations Bill, 1982 be referred to a Joint Select Committee consisting of total 20 Members (5 Members from the Legislative Assembly and 5 Members from the Legislative Council) and that the concurrence of the Legislative Council be obtained therefor and the following Members of this House * * shall be the Members of Joint Select Committee and the report of the Joint Select Committee be presented by the end of 30th June 1982.”

- * * Sriyuths.—
- 1 H. Shivappa
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- 11 M. C. Nanaiah
- 12 Dr H. L. Thimmegowda
- 13 H. Gangadharan
- 14 N. B. Sirdesai
- 15 B. V. Kakkilaya

The motion was adopted and the Bill was referred to the Joint Select Committee.

The Karnataka State Universities (Amendment) Bill, 1982

Motion to consider

SRI G. B. SHANKAR RAO (Minister for Education).— Sir, I beg to move :

“ That the Karnataka State Universities (Amendment) Bill, 1982 be taken into consideration.”

The question was proposed

SRI G. B. SHANKAR RAO.— Hon'ble Members are aware that there are five Universities in the State. The Government officers who ex-officio Members of the University authorities, namely, the Senate, the Syndicate and the Academic Council have found it difficult to attend the meetings of these authorities held from time to time. They should be given an opportunity to nominate their subordinates to attend some of the meetings of the University bodies whenever they find it difficult to attend the meetings. So for that purpose an amendment was necessary and this Bill is brought.

Regarding other amendment, one of the conditions stipulated by the University Grants Commission for sanction of development grants to affiliated colleges is that they should have permanent affiliation to the concerned Universities in the State under which they come. There is no provision in the existing Karnatak Universities Act to provide for giving permanent affiliation to the affiliated colleges to the Universities. So this amendment is necessary making it possible for the Universities to give permanent affiliation to the Colleges so that they will be able to get development grants from the University Grants Commission Hence this amendment.

Lastly, the Mangalore and Gulbarga Universities were constituted on 10th September 1983. Under the Karnataka State Universities Act, these Universities should have constituted the various